

**DebtEdJT, DebtEd, APPEAL**

**U.S. Bankruptcy Court  
Middle District of Alabama (Montgomery)  
Bankruptcy Petition #: 06-30049**

*Assigned to:* Dwight H. Williams Jr.  
Chapter 13  
Voluntary  
Asset

*Date Filed:* 01/18/2006

**Cleveland D. Boler, III**  
2242 Hwy 31 N.  
Deatsville, AL 36022  
SSN: xxx-xx-3767

**Debtor**

represented by **Vonda S. McLeod**  
Shinbaum, Abell, McLeod & Vann  
566 S. Perry St.  
PO Box 201  
Montgomery, AL 36101  
334-269-4440  
Email: vmcleod@samvpc.com

**Evelyn D. Boler**  
2242 Hwy 31 N.  
Deatsville, AL 36022  
SSN: xxx-xx-9193

**Joint Debtor**

*aka*

**Evelyn D. Mims**

represented by **Vonda S. McLeod**  
(See above for address)

**Bankruptcy Administrator**  
U. S. Bankruptcy Administrator  
One Church Street  
Montgomery, AL 36104

**Bankruptcy Admin.**

**Curtis C. Reding**  
P. O. Box 173  
Montgomery, AL 36101  
334 262-8371

**Trustee**

represented by **Sabrina L. McKinney**  
P. O. Box 173  
Montgomery, AL 36101  
334-262-8371  
Fax : 334-834-7635  
Email: mckinneys@ch13mdal.com

| Filing Date | # | Docket Text  |
|-------------|---|--|
| 01/18/2006  | 1 | Chapter 13 Voluntary Petition.Fee Amount \$189. Filed by Vonda S. McLeod on behalf of Cleveland D. Boler III, Evelyn D. Boler. (McLeod, Vonda) (Entered: 01/18/2006) |
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| 01/18/2006 | <u>2</u>  | Chapter 13 Plan. The Plan will be noticed by the clerk's office and the certificate of service will be filed within 5 working days. Filed by Vonda S. McLeod on behalf of Cleveland D. Boler III, Evelyn D. Boler. (McLeod, Vonda) (Entered: 01/18/2006)   |
| 01/18/2006 | <u>3</u>  | Certificate of Credit Counseling for Debtor Filed by Vonda S. McLeod on behalf of Cleveland D. Boler III, Evelyn D. Boler. (McLeod, Vonda) (Entered: 01/18/2006)   |
| 01/18/2006 | <u>4</u>  | Certificate of Credit Counseling for Joint Debtor Filed by Vonda S. McLeod on behalf of Cleveland D. Boler III, Evelyn D. Boler. (McLeod, Vonda) (Entered: 01/18/2006)   |
| 01/18/2006 | <u>5</u>  | Declaration re: Electronic Filing Filed by Vonda S. McLeod on behalf of Cleveland D. Boler III, Evelyn D. Boler. (McLeod, Vonda) (Entered: 01/18/2006)   |
| 01/18/2006 | <u>6</u>  | Employee Income Records <i>FOR DEBTOR</i> Filed by Vonda S. McLeod on behalf of Cleveland D. Boler III, Evelyn D. Boler. (McLeod, Vonda) (Entered: 01/18/2006)   |
| 01/18/2006 | <u>7</u>  | Employee Income Records <i>FOR JOINT DEBTOR</i> Filed by Vonda S. McLeod on behalf of Cleveland D. Boler III, Evelyn D. Boler. (McLeod, Vonda) (Entered: 01/18/2006)   |
| 01/18/2006 | <u>8</u>  | Debtor's Motion for Adequate Protection <i>PAYMENTS THROUGH CHAPTER 13 TRUSTEE</i> Filed by Vonda S. McLeod on behalf of Cleveland D. Boler III, Evelyn D. Boler. (McLeod, Vonda) (Entered: 01/18/2006)  |
| 01/18/2006 | <u>9</u>  | Receipt of Voluntary Petition (Chapter 13).(06-30049) [misc,volp13a] ( 189.00) filing fee. Receipt number 1709798, amount \$ 189.00. (U.S. Treasury) (Entered: 01/18/2006)   |
| 01/19/2006 | <u>10</u> | First Meeting of Creditors, Trustee and Deadlines Assigned. Section 341(a) Meeting of Creditors to be held 03/02/2006 at 09:00 AM in 341 Meeting of Creditors (4E), U.S. Bankruptcy Court, One Church Street, Montgomery, AL. Confirmation hearing to be held 04/03/2006 at 09:30 PM in Courtroom 4C, Judge Williams Presiding, U.S. Bankruptcy Court, Montgomery, AL. The Trustee appointed to this case is Curtis C. Reding. Deadline to file Proofs of Claim is 05/31/2006. (Entered: 01/19/2006) |
| 01/19/2006 | <u>11</u> | Order Granting Motion For Adequate Protection (Related Doc # 8) Entered On 1/19/2006. (JC, ) (Entered: 01/19/2006)   |
| 01/21/2006 | <u>12</u> | BNC Certificate of Service - Meeting of Creditors - (RE: related   |

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|            |           | document(s)10 Auto Assign Meeting of Creditors-Ch 13, ). No. of Notices: 27. Service Date 01/21/2006. (Admin.) (Entered: 01/22/2006)  |
| 01/21/2006 | <u>13</u> | BNC Certificate of Service - Chapter 13 Plan - (RE: related document (s)2 Chapter 13 Plan). No. of Notices: 28. Service Date 01/21/2006. (Admin.) (Entered: 01/22/2006)   |
| 01/21/2006 | <u>14</u> | BNC Certificate of Service - See Image Attached - (RE: related document(s)11 Order on Motion for Adequate Protection). No. of Notices: 2. Service Date 01/21/2006. (Admin.) (Entered: 01/22/2006)   |
| 01/25/2006 | <u>15</u> | Motion for Income Withholding Order <i>Home Depot</i> Filed by Vonda S. McLeod on behalf of Cleveland D. Boler III, Evelyn D. Boler. (LO, ) (Entered: 01/25/2006)   |
| 01/25/2006 | <u>16</u> | Motion for Income Withholding Order <i>Mobis Alabama</i> Filed by Vonda S. McLeod on behalf of Cleveland D. Boler III, Evelyn D. Boler. (LO, ) (Entered: 01/25/2006)  |
| 01/31/2006 | <u>17</u> | Trustee's Income Withholding Order. (Reding, Curtis-EC) (Entered: 01/31/2006)   |
| 02/02/2006 | <u>18</u> | Amended 341 Meeting Notice And/Or Confirmation Hearing (RE: related document(s)10 Auto Assign Meeting of Creditors-Ch 13, ). Confirmation hearing to be held on 4/3/2006 at 09:30 AM at Courtroom 4C, Judge Williams Presiding, U.S. Bankruptcy Court, Montgomery, AL. (JC, ) (Entered: 02/02/2006) |
| 02/04/2006 | <u>19</u> | BNC Certificate of Service - Meeting of Creditors - (RE: related document(s)18 Amended 341 Meeting Notice And/Or Confirmation Hearing, ). No. of Notices: 30. Service Date 02/04/2006. (Admin.) (Entered: 02/05/2006)   |
| 02/06/2006 | <u>20</u> | Trustee's Income Withholding Order. (Reding, Curtis-EC) (Entered: 02/06/2006)   |
| 02/07/2006 | <u>21</u> | Notice of Appearance and Request for Notice Filed by Karen-CAR L. Materna on behalf of Alabama Department of Human Resources, Karen L Materna. (Materna, Karen-CAR) (Entered: 02/07/2006)   |
| 02/15/2006 | <u>22</u> | Notice of Appearance and Request for Notice Filed by Leonard-PP N. Math on behalf of GUARDIAN CREDIT UNION. (Math, Leonard-PP) (Entered: 02/15/2006)  |
| 02/24/2006 | <u>23</u> | Objection to Confirmation of Plan Filed by Richard G. Moxley III on behalf of Alabama Department of Human Resources (RE: related  |

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|            |           | document(s)2 Chapter 13 Plan filed by Debtor Cleveland D. Boler, Joint Debtor Evelyn D. Boler). (Moxley, Richard) (Entered: 02/24/2006)  |
| 03/07/2006 | <u>24</u> | Response to <i>Objection to Confirmation of Alabama Dept of Human Resources</i> Filed by Vonda S. McLeod on behalf of Cleveland D. Boler III, Evelyn D. Boler (RE: related document(s) <u>23</u> Objection to Confirmation of the Plan filed by Creditor Alabama Department of Human Resources). (McLeod, Vonda) (Entered: 03/07/2006)                             |
| 03/08/2006 | <u>25</u> | Debtor's Amended/Modified Chapter 13 Plan <i>TO SHOE BALDWIN COUNTY DHR IS TO BE PAID DIRECT AND TO LOWER PAYMENTS TO \$504.51 BI-WEEKLY</i> Filed by Vonda S. McLeod on behalf of Cleveland D. Boler III, Evelyn D. Boler. (McLeod, Vonda) (Entered: 03/08/2006)  |
| 03/09/2006 | <u>26</u> | Amended Trustee's Income Withholding Order. (Reding, Curtis-EC) (Entered: 03/09/2006)  |
| 03/09/2006 | <u>27</u> | Amended Trustee's Income Withholding Order. (Reding, Curtis-EC) (Entered: 03/09/2006)  |
| 03/10/2006 | <u>28</u> | Proceeding Memo - Hearing Held (Non-Image Entry) Filed by Trustee Curtis C. Reding (RE: related document(s) <u>10</u> Auto Assign Meeting of Creditors-Ch 13, ). (Reding, Curtis-MM) (Entered: 03/10/2006)   |
| 03/13/2006 | <u>29</u> | Objection to Confirmation of Plan Filed by Kristen P. Southworth on behalf of GUARDIAN CREDIT UNION (RE: related document(s) <u>25</u> Amended/Modified Chapter 13 Plan filed by Debtor Cleveland D. Boler, Joint Debtor Evelyn D. Boler). (Southworth, Kristen) (Entered: 03/13/2006)   |
| 03/14/2006 | <u>30</u> | Objection to Confirmation of Plan Filed by Richard G. Moxley III on behalf of Alabama Department of Human Resources (RE: related document(s) <u>25</u> Amended/Modified Chapter 13 Plan filed by Debtor Cleveland D. Boler, Joint Debtor Evelyn D. Boler). (Moxley, Richard) (Entered: 03/14/2006)   |
| 04/06/2006 | <u>31</u> | Submission Order Entered On 4/6/2006 (RE: related document(s) <u>30</u> Objection to Confirmation of the Plan, filed by Creditor Alabama Department of Human Resources). Brief due by 4/13/2006. CONFIRMATION HEARING set for 4/24/2006 at 09:30 AM at Courtroom 4C, Judge Williams Presiding, U.S. Bankruptcy Court, Montgomery, AL. (JC, ) (Entered: 04/06/2006) |
| 04/06/2006 | <u>32</u> | NOTE: HEARING CANCELLED - ORDER WILL ENTER ON  |

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|            |           | OBJECTION -Hearing Continued on matter filed by Kristen P. Southworth of Chambless-Math, PC on behalf of GUARDIAN CREDIT UNION (RE: related document(s)18 Amended 341 Meeting Notice And/Or Confirmation Hearing,, 29 Objection to Confirmation of the Plan, ). Confirmation hearing to be held on 4/24/2006 at 09:30 AM at Courtroom 4C, Judge Williams Presiding, U.S. Bankruptcy Court, Montgomery, AL. (JV, ) Modified Text on 4/11/2006 (JV, ). (Entered: 04/06/2006) |
| 04/08/2006 | <u>33</u> | BNC Certificate of Service - See Image Attached - (RE: related document(s)31 Scheduling Order, ). No. of Notices: 4. Service Date 04/08/2006. (Admin.) (Entered: 04/09/2006)   |
| 04/12/2006 | <u>34</u> | Debtor's Brief <i>in Opposition to Objection to Confirmation</i> Filed by Vonda S. McLeod on behalf of Cleveland D. Boler III, Evelyn D. Boler (RE: related document(s)31 Scheduling Order, ). (McLeod, Vonda) (Entered: 04/12/2006)   |
| 04/13/2006 | <u>35</u> | Brief <i>in Support of the Objection to Confirmation filed by the Alabama Department of Human Resources</i> Filed by Richard G. Moxley III on behalf of Alabama Department of Human Resources. (Moxley, Richard) (Entered: 04/13/2006)   |
| 04/14/2006 | <u>36</u> | Order Allowing Withdrawal of Objection Entered On 4/14/2006 (RE: related document(s)29 Objection to Confirmation of the Plan, filed by Creditor GUARDIAN CREDIT UNION). (LO, ) (Entered: 04/14/2006)   |
| 04/16/2006 | <u>37</u> | BNC Certificate of Service - See Image Attached - (RE: related document(s)36 Order on Objection). No. of Notices: 2. Service Date 04/16/2006. (Admin.) (Entered: 04/16/2006)   |
| 04/21/2006 | <u>38</u> | Supplemental Brief <i>IN OPPOSITION TO OBJECTION TO CONFIRMATION</i> Filed by Vonda S. McLeod on behalf of Cleveland D. Boler III, Evelyn D. Boler (RE: related document(s)30 Objection to Confirmation of the Plan, filed by Creditor Alabama Department of Human Resources, 34 Brief filed by Debtor Cleveland D. Boler, Joint Debtor Evelyn D. Boler, 35 Brief filed by Creditor Alabama Department of Human Resources). (McLeod, Vonda) (Entered: 04/21/2006)          |
| 04/24/2006 | <u>39</u> | Objection to Confirmation of Plan Filed by Kristen P. Southworth on behalf of GUARDIAN CREDIT UNION (RE: related document(s)2 Chapter 13 Plan filed by Debtor Cleveland D. Boler, Joint Debtor Evelyn D. Boler). (Southworth, Kristen) (Entered: 04/24/2006)   |
| 04/24/2006 | <u>40</u> | Hearing Continued on matter filed by Kristen P. Southworth of Chambless-Math, PC on behalf of GUARDIAN CREDIT UNION  |

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|            |    | (RE: related document(s)31 Scheduling Order,, 39 Objection to Confirmation of the Plan). Confirmation hearing to be held on 5/22/2006 at 09:30 AM at Courtroom 4C, Judge Williams Presiding, U.S. Bankruptcy Court, Montgomery, AL. (JV, ) (Entered: 04/24/2006)  |
| 04/28/2006 | 41 | MEMORANDUM DECISION/OPINION - Entered On 4/28/2006 (RE: related document(s)30 Objection to Confirmation of the Plan, filed by Creditor Alabama Department of Human Resources, 39 Objection to Confirmation of the Plan filed by Creditor GUARDIAN CREDIT UNION, [40] Hearing (Bk) Cont, Hearing (Bk) Cont filed by Creditor GUARDIAN CREDIT UNION, 31 Scheduling Order, ). (LO, ) (Entered: 04/28/2006)         |
| 04/28/2006 | 42 | Order Overruling Objections / Order Reschedule Hearing - Entered On 4/28/2006 (RE: related document(s)30 Objection to Confirmation of the Plan, filed by Creditor Alabama Department of Human Resources, 31 Scheduling Order, ). <b>Confirmation hearing to be held on 5/22/2006 at 09:30 AM at Courtroom 4C, Judge Williams Presiding, U.S. Bankruptcy Court, Montgomery, AL.</b> (LO, ) (Entered: 04/28/2006) |
| 04/30/2006 | 43 | BNC Certificate of Service - See Image Attached - (RE: related document(s)41 Opinion, ). No. of Notices: 3. Service Date 04/30/2006. (Admin.) (Entered: 05/01/2006)   |
| 04/30/2006 | 44 | BNC Certificate of Service - See Image Attached - (RE: related document(s)42 Order to Continue/Reschedule Hearing, , Order on Objection, ). No. of Notices: 4. Service Date 04/30/2006. (Admin.) (Entered: 05/01/2006)  |
| 05/05/2006 | 45 | Amended Notice of Appearance of Child Support Creditor or Representative Filed by Richard G. Moxley III on behalf of Alabama Department of Human Resources (RE: related document(s)21 Notice of Appearance filed by Attorney Karen L Materna, Creditor Alabama Department of Human Resources). (Attachments: # 1 Payment Summary) (Moxley, Richard) (Entered: 05/05/2006)                                       |
| 05/05/2006 | 46 | Notice of Appeal ( <i>Child Support Creditor</i> ). Fee Amount \$5. Filed by Richard G. Moxley III on behalf of Alabama Department of Human Resources (RE: related document(s)42 Order to Continue/Reschedule Hearing,, Order on Objection, ). Appellant Designation due by 5/15/2006. Transmission of Designation Due by 5/25/2006. (Moxley, Richard) (Entered: 05/05/2006)                                    |
| 05/05/2006 | 47 | Receipt of Notice of Appeal(06-30049) [appeal,ntcapl] ( 5.00) filing fee. Receipt number 1824140, amount \$ 5.00. (U.S. Treasury) (Entered: 05/05/2006)   |

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| 05/08/2006 | <u>48</u> | Notice Service of Notice of Appeal. Civil Action Number: Filed by (RE: related document(s)46 Notice of Appeal, filed by Creditor Alabama Department of Human Resources). (Attachments: # 1 Instruction for appellant)(YP, ) (Entered: 05/08/2006)   |
| 05/09/2006 | <u>49</u> | Notice of Appearance and Request for Notice Filed by Sabrina L. McKinney on behalf of Curtis C. Reding. (McKinney, Sabrina) (Entered: 05/09/2006)   |
| 05/15/2006 | <u>50</u> | Appellant Designation of Contents For Inclusion in Record and Issues On Appeal Filed by Richard G. Moxley III on behalf of Alabama Department of Human Resources (RE: related document(s)46 Notice of Appeal, filed by Creditor Alabama Department of Human Resources). Appellee designation due by 5/25/2006. (Moxley, Richard) (Entered: 05/15/2006)  |
| 05/16/2006 | <u>51</u> | Appellee Designation of Contents for Inclusion in Record and Issues On Appeal Filed by Sabrina L. McKinney on behalf of Curtis C. Reding (RE: related document(s)46 Notice of Appeal, filed by Creditor Alabama Department of Human Resources, <u>50</u> Appellant Designation and Issues on Appeal, filed by Creditor Alabama Department of Human Resources). (Attachments: # 1 Exhibit) (McKinney, Sabrina) (Entered: 05/16/2006) |
| 05/17/2006 | <u>52</u> | Appellee Designation of Contents for Inclusion in Record and Issues On Appeal Filed by Vonda S. McLeod on behalf of Cleveland D. Boler III, Evelyn D. Boler (RE: related document(s) <u>50</u> Appellant Designation and Issues on Appeal, filed by Creditor Alabama Department of Human Resources). (McLeod, Vonda) (Entered: 05/17/2006)  |
| 05/18/2006 | <u>53</u> | Debtor's Amended/Modified Chapter 13 Plan <i>TO MAKE PROVISIONS FOR GUARDIAN CREDIT UNION AND INCREASE PAYMENTS TO \$260.00 BIWEEKLY</i> Filed by Vonda S. McLeod on behalf of Cleveland D. Boler III, Evelyn D. Boler. (McLeod, Vonda) (Entered: 05/18/2006)   |
| 05/24/2006 | <u>54</u> | Amended Trustee's Income Withholding Order. (Reding, Curtis-EC) (Entered: 05/24/2006)   |
| 05/24/2006 | <u>55</u> | Amended Trustee's Income Withholding Order. (Reding, Curtis-EC) (Entered: 05/24/2006)   |
| 05/24/2006 | <u>56</u> | Order Allowing Withdrawal of Objection - Entered On 5/24/2006 (RE: related document(s)39 Objection to Confirmation of the Plan filed by Creditor GUARDIAN CREDIT UNION). (LO, ) (Entered: 05/24/2006)   |

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